

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
ANDREW TORO,	:	
	:	
Plaintiff,	:	
	:	23 Civ. 4797 (LGS)
-against-	:	
	:	
N2G2, LLC,	:	<u>ORDER</u>
	:	
Defendant.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Complaint was filed June 7, 2023;


WHEREAS, the Order dated July 25, 2023, warned Plaintiff that “if the Complaint is not served by September 5, 2023, the case will be dismissed”;

WHEREAS, Defendant has not appeared, and Plaintiff has not filed proof of service on the docket;

WHEREAS, Plaintiff has not submitted any filings on the docket since July 24, 2023. It is hereby

**ORDERED** that this action is dismissed without prejudice for failure to serve the Complaint pursuant to Federal Rule of Civil Procedure 4(m) (“If a defendant is not served within 90 days after the complaint is filed, the court -- on motion or on its own after notice to the plaintiff -- must dismiss the action without prejudice against that defendant or order that service be made within a specified time.”).

Dated: September 26, 2023  
New York, New York

  
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**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**